

4

U. S. DISTRICT COURT  
DISTRICT OF NEVADA  
FILED

JUL 15 1995

CAROL G. FITZGERALD, CLERK

BY \_\_\_\_\_

1 WILLIAM A. MADDOX, United States Attorney  
 2 LAWRENCE R. LEAVITT, Attorney in Charge  
 3 JERIC JOHNSON, Special Attorney  
 4 U. S. Department of Justice  
 5 Las Vegas Strike Force  
 6 300 South Fourth Street  
 7 Suite 1005  
 8 Las Vegas, NV 89101  
 9 (702) 388-6363  
 10 Attorneys for the Government

## UNITED STATES DISTRICT COURT

## DISTRICT OF NEVADA

- oOo -

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 vs.

13 DOMINIC SPINALE,  
 14 EDWARD DeLEO,  
 15 THOMAS PALLADINO, JR. and  
 16 DONATO ANGIULO,

17 Defendants.

Cr. S 86-95

VIOLATIONS: 18 U.S.C. § 371  
 - Conspiracy; 18 U.S.C.  
 § 1955 - Illegal Gambling  
 Business; 18 U.S.C. § 1084  
 (a) - Interstate  
 Transmission of Wagering  
 Information; 18 U.S.C.  
 § 1952 - Use of Interstate  
 Facility in Aid of  
 Racketeering Activity; 18  
 U.S.C. § 2 - Aiding and  
 Abetting

I N D I C T M E N T

COUNT I  
 (Conspiracy)

21 The Grand Jury charges: T H A T

22 1. For the purposes of this Indictment, a bookmaker is  
 23 a person who is engaged in the business of accepting wagers, most  
 24 commonly on sporting events, whereby the bettor is generally  
 25 required to pay the bookmaker a certain percentage or commission  
 26 on wagers which the bettor loses as payment for the privilege of

Exhibit - 4

1 betting, such that, where the percentage or commission is ten  
2 percent, the bettor must risk \$110 in an attempt to win \$100.

3 2. For the purposes of this Indictment, the "line" on  
4 a sporting event, which is disseminated by the bookmaker to his  
5 bettors, is defined as the number of points which are added to  
6 the final score of the disfavored team or subtracted from the  
7 final score of the favored team to make the two teams more even  
8 for wagering purposes.

9 3. For the purposes of this Indictment a "lay-off bet"  
10 exists when a bookmaker has more money bet on one side of a line  
11 for a sporting event than on the other side of the line and the  
12 bookmaker bets all or part of the excess money on the one side of  
13 the line with a second bookmaker at the second bookmaker's line  
14 and pays the prevailing percentage or commission if he loses.

15 4. For the purposes of this Indictment, a "line  
16 source" in a bookmaker's operation is a person who obtains or  
17 originates a line on one or more sporting events and reports the  
18 line to the bookmaker.

19 5. From on or about September 24, 1984, and  
20 continuously thereafter up to and including on or about December  
21 4, 1984, in the District of Nevada and elsewhere, defendants  
22 DOMINIC SPINALE, EDWARD DeLEO and THOMAS PALLADINO, JR. and  
23 others whose names are unknown to the Grand Jury, did willfully  
24 and knowingly combine, conspire, confederate and agree together  
25 and with each other to commit an offense against the United  
26 States as follows:

2 to conduct, finance, manage, supervise, direct or own  
3 an illegal gambling business involving sports bookmaking in  
4 violation of the Laws of the State of Massachusetts, said illegal  
5 gambling business involving five or more persons in its conduct,  
6 management, financing, supervision, direction and ownership, said  
7 illegal gambling business being in substantially continuous  
8 operation for a period in excess of thirty days, and said illegal  
9 gambling business having a gross revenue in excess of \$2,000.00  
10 on one or more days, in violation of Title 18, United States  
11 Code, Section 1955.

12 6. It was part of the plan and purpose of the  
13 conspiracy that:

14 a. The defendant THOMAS PALLADINO, JR. operated a  
15 bookmaking operation in and around East Boston, Massachusetts,  
16 taking bets on sporting events;

17 b. An individual known as "Mario" operated a  
18 bookmaking operation in and around Boston, Massachusetts, taking  
19 bets on sporting events;

20 c. The defendant THOMAS PALLADINO, JR. received the  
21 line he used in his bookmaking operation from Mario;

22 d. Mario exercised influence and control over the time  
23 periods defendant THOMAS PALLADINO, JR. would accept bets during  
24 a day;

25 e. Defendant EDWARD DeLEO with assistance from and at  
26 the direction of defendant DOMINIC SPINALE provided regular line  
information to Mario by calling Mario from telephones in or about

1 Las Vegas, Nevada, to a telephone in or about Boston,  
2 Massachusetts;

3 f. Mario utilized an unknown line source other than  
4 defendants EDWARD DeLEO and DOMINIC SPINALE to receive line  
5 information;

6 g. Defendant THOMAS PALLADINO, JR. received line  
7 information from and placed layoff bets with at least four  
8 individuals whose identities are not known to the Grand Jury.

9 In furtherance of this conspiracy, and to effect the  
10 objects thereof, in the District of Nevada and elsewhere, the  
11 defendants committed the following overt acts, among others:

12 1. On September 24, 1984, defendant DeLEO used a pay  
13 telephone at the Stardust Hotel and Casino, Las Vegas, Nevada, to  
14 call Mario at a telephone located in or about Boston,  
15 Massachusetts, and provided Mario with line information.

16 2. On September 27, 1984, defendant DeLEO used a pay  
17 telephone at the Stardust Hotel and Casino, Las Vegas, Nevada, to  
18 call Mario at a telephone located in or about Boston,  
19 Massachusetts, and provided Mario with line information.

20 3. On September 28, 1984, defendant DeLEO used a pay  
21 telephone at the Stardust Hotel and Casino, Las Vegas, Nevada, to  
22 call Mario at a telephone located in or about Boston,  
23 Massachusetts, and provided Mario with line information.

24 4. On September 29, 1984, defendant DeLEO used a pay  
25 telephone at the Stardust Hotel and Casino, Las Vegas, Nevada, to  
26 . . . .

1 call Mario at a telephone located in or about Boston,  
2 Massachusetts, and provided Mario with line information.

3  
4 5. On September 30, 1984, defendant DeLEO used a pay  
5 telephone at the Stardust Hotel and Casino, Las Vegas, Nevada, to  
6 call Mario at a telephone located in or about Boston,  
7 Massachusetts, and provided Mario with line information.

8 6. On October 1, 1984, defendant DeLEO used a pay  
9 telephone at the Stardust Hotel and Casino, Las Vegas, Nevada, to  
10 call Mario at a telephone located in or about Boston,  
11 Massachusetts, and provided Mario with line information.

12 7. On October 3, 1984, defendant DeLEO used a pay  
13 telephone at the Stardust Hotel and Casino, Las Vegas, Nevada, to  
14 call Mario at a telephone located in or about Boston,  
15 Massachusetts, and provided Mario with line information.

16 8. On October 4, 1984, defendant DeLEO used a pay  
17 telephone at the Stardust Hotel and Casino, Las Vegas, Nevada, to  
18 call Mario at a telephone located in or about Boston,  
19 Massachusetts, and provided Mario with line information.

20 9. On October 6, 1984, defendant DeLEO used a pay  
21 telephone at the Stardust Hotel and Casino, Las Vegas, Nevada, to  
22 call Mario at a telephone located in or about Boston,  
23 Massachusetts, and provided Mario with line information.

24 10. On October 7, 1984, defendant DeLEO used a pay  
25 telephone at the Stardust Hotel and Casino, Las Vegas, Nevada, to  
26 call Mario at a telephone located in or about Boston,  
Massachusetts, and provided Mario with line information.

2 11. On October 8, 1984, defendant DeLEO used a pay  
3 telephone at the Stardust Hotel and Casino, Las Vegas, Nevada, to  
4 call Mario at a telephone located in or about Boston,  
5 Massachusetts, and provided Mario with line information.

6 12. On October 9, 1984, defendant DeLeo used a pay  
7 telephone at the Stardust Hotel and Casino, Las Vegas, Nevada, to  
8 call Mario at a telephone located in or about Boston,  
9 Massachusetts, and provided Mario with line information.

10 13. On October 10, 1984, defendant DeLEO used a pay  
11 telephone at the Stardust Hotel and Casino, Las Vegas, Nevada, to  
12 call Mario at a telephone located in or about Boston,  
13 Massachusetts, and provided Mario with line information.

14 14. On October 13, 1984, defendant DeLEO used a pay  
15 telephone at the Stardust Hotel and Casino, Las Vegas, Nevada, to  
16 call Mario at a telephone [located in or about Boston,  
17 Massachusetts, and provided Mario with line information.

18 15. On October 15, 1984, defendant DeLEO used a pay  
19 telephone at the Stardust Hotel and Casino, Las Vegas, Nevada, to  
20 call Mario at a telephone located in or about Boston,  
21 Massachusetts, and provided Mario with line information.

22 16. On October 15, 1984, defendant DeLEO used a pay  
23 telephone at the Stardust Hotel and Casino, Las Vegas, Nevada, to  
24 call defendant PALLADINO at a telephone located in or about East  
25 Boston, Massachusetts, and asked PALLADINO to contact Mario and  
26 provide him line information on a sports event.

...

17. On October 17, 1984, defendant DeLEO used a pay telephone at the Stardust Hotel and Casino, Las Vegas, Nevada, to call Mario at a telephone located in or about Boston, Massachusetts, and provided Mario with line information.

18. On October 18, 1984, defendant DeLEO used a pay telephone at the Stardust Hotel and Casino, Las Vegas, Nevada, to call Mario at a telephone located in or about Boston, Massachusetts, and provided Mario with line information.

19. On October 19, 1984, defendant DeLEO used a pay telephone at the Stardust Hotel and Casino, Las Vegas, Nevada, to call Mario at a telephone located in or about Boston, Massachusetts, and provided Mario with line information.

20. On October 20, 1984, defendant DeLEO used a pay telephone at the Stardust Hotel and Casino, Las Vegas, Nevada, to call Mario at a telephone located in or about Boston, Massachusetts, and provided Mario with line information.

21. On October 26, 1984, defendant DeLEO used a pay telephone at the Stardust Hotel and Casino, Las Vegas, Nevada, to call Mario at a telephone located in or about Boston, Massachusetts, and provided Mario with line information.

22. On October 27, 1984, defendant DeLEO used a pay telephone at the Stardust Hotel and Casino, Las Vegas, Nevada, to call Mario at a telephone located in or about Boston, Massachusetts, and provided Mario with line information.

23. On November 2, 1984, defendant DeLEO used a pay telephone at the Stardust Hotel and Casino, Las Vegas, Nevada, to



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

at a telephone located in or about Boston, Massachusetts, and provided Mario with line information.

24. On November 7, 1984, defendant DeLEO used a pay telephone at the Stardust Hotel and Casino, Las Vegas, Nevada, to call Mario at a telephone located in or about Boston, Massachusetts, and provided Mario with line information.

25. On November 25, 1984, defendant SPINALE used his home telephone in Las Vegas, Nevada, to call Mario at a telephone located in or about Boston, Massachusetts, concerning the providing of line information to Mario.

All in violation of Title 18, United States Code,  
Section 371.

COUNT II  
(Illegal Gambling Business and;  
Aiding and Abetting)

The Grand Jury further charges: T H A T

1. Paragraphs 1, 2, 3 and 4 of Count I of this Indictment are realleged and incorporated herein by reference as though each paragraph was set forth herein at length.

2. From on or about September 24, 1984, and continuing up to on or about December 4, 1984, in the District of Nevada and elsewhere, the defendants DOMINIC SPINALE, EDWARD DeLEO and THOMAS PALLADINO, JR. [and others whose names are unknown to the Grand Jury,] did knowingly and intentionally conduct, finance, manage, supervise, direct and own an illegal gambling business involving sports bookmaking, said gambling business being in violation of Massachusetts General Laws Annotated, Chapter 271,

1 Sections 17 and 17A, said gambling business involving five or  
2 more persons in its conduct, management, financing, supervision,  
3 direction or ownership, said gambling business having been in  
4 substantially continuous operation for a period in excess of  
5 thirty days, and said gambling business having a gross revenue in  
6 excess of \$2,000.00 on one or more days.

7 3. It was part of the design and organization of the  
8 illegal gambling business that:

9 a. The defendant THOMAS PALLADINO, JR. operated a  
10 bookmaking operation in and around East Boston, Massachusetts,  
11 taking bets on sporting events;

12 b. An individual known as "Mario" operated a  
13 bookmaking operation in and around Boston, Massachusetts, taking  
14 bets on sporting events;

15 c. The defendant THOMAS PALLADINO, JR. received  
16 the line he used in his bookmaking operation from Mario;

17 d. Mario exercised influence and control over the  
18 time periods defendant THOMAS PALLADINO, JR. would accept bets  
19 during a day;

20 e. Defendant EDWARD DeLEO with assistance from  
21 and at the direction of defendant DOMINIC SPINALE provided  
22 regular line information to Mario by calling Mario from  
23 telephones in or about Las Vegas, Nevada, to a telephone in or  
24 about Boston, Massachusetts.

25 . . .

26 . . .

1 f. Mario utilized an unknown line source other  
2 than defendants EDWARD DeLEO and DOMINIC SPINALE to receive line  
3 information.

4 g. Defendant THOMAS PALLADINO, JR. received line  
5 information from and placed layoff bets with at least four  
6 individuals whose true identities are unknown to the Grand Jury.

7 4. On or about November 26, 1984, within the District  
8 of Nevada and elsewhere, the defendant [DONATO ANGIULO] knowingly  
9 and intentionally aided and abetted the ongoing illegal gambling  
10 business described in Paragraphs 2 and 3 of this Count by placing  
11 a telephone call from outside the State of Nevada to defendant  
12 DOMINIC SPINALE in Las Vegas, Nevada, for the purpose of  
13 concealing and protecting the said ongoing illegal gambling  
14 business from investigation and detection by the Federal Bureau  
15 of Investigation.

16 All in violation of Title 18, United States Code,  
17 Sections 1955 and 2.

18 COUNTS III - XXVI  
19 (Interstate Transmission of Wagering  
Information; Aiding and Abetting)

20 The Grand Jury further charges: T H A T

21 On or about the dates hereinafter set forth in Counts  
22 III through XXVI, which Counts reallege and incorporate by  
23 reference Paragraphs 1 and 2 of Count I of this Indictment,  
24 within the District of Nevada and elsewhere, the defendants  
25 DOMINIC SPINALE, EDWARD DeLEO and THOMAS PALLADINO, JR., being  
26 engaged in the business of betting and wagering, a gambling

Business involving bookmaking, did knowingly use and cause to be used, a wire communication facility, that is, a telephone, for the transmission and exchange of line information in interstate commerce between Las Vegas, Nevada, and in or near the locations hereinafter set forth in Counts III through XXVI, which information assisted the defendants in their gambling business in the acceptance of bets and wagers on sporting events and contests.

<u>COUNT</u>	<u>DATE</u>	<u>LOCATION</u>
III	September 24, 1984	Boston, Massachusetts
IV	September 27, 1984	Boston, Massachusetts
V	September 28, 1984	Boston, Massachusetts
VI	September 29, 1984	Boston, Massachusetts
VII	September 30, 1984	Boston, Massachusetts
VIII	October 1, 1984	Boston, Massachusetts
IX	October 3, 1984	Boston, Massachusetts
X	October 4, 1984	Boston, Massachusetts
XI	October 6, 1984, at approximately 8:26 a.m., Pacific Time	Boston, Massachusetts
XII	October 7, 1984	Boston, Massachusetts
XIII	October 8, 1984	Boston, Massachusetts
XIV	October 9, 1984	Boston, Massachusetts
XV	October 10, 1984	Boston, Massachusetts
XVI	October 13, 1984	Boston, Massachusetts

<u>COUNT</u>	<u>DATE</u>	<u>LOCATION</u>
XVII	October 15, 1984	Boston, Massachusetts
XVIII	October 15, 1984	East Boston, Massachusetts
XIX	October 17, 1984	Boston, Massachusetts
XX	October 18, 1984	Boston, Massachusetts
XXI	October 19, 1984	Boston, Massachusetts
XXII	October 20, 1984	Boston, Massachusetts
XXIII	October 26, 1984	Boston, Massachusetts
XXIV	October 27, 1984	Boston, Massachusetts
XXV	November 2, 1984	Boston, Massachusetts
XXVI	November 7, 1984	Boston, Massachusetts

All in violation of Title 18, United States Code, Sections 1084 and 2.

COUNTS XXVII - L  
(Use of Interstate Facility in Aid of  
Racketeering Activity; Aiding and Abetting)

The Grand Jury further charges: T H A T

On or about the dates hereinafter set forth in Counts XXVII through L, within the District of Nevada and elsewhere, the defendants DOMINIC SPINALE, EDWARD DeLEO and THOMAS PALLADINO, JR. did willfully, knowingly and unlawfully use and cause to be used a facility in interstate commerce, to wit: a telephone, with the intent to promote, manage, establish, carry on or facilitate the promotion, management, establishment or carrying on of an unlawful activity, to wit: a business enterprise involving gambling in violation of Title 18, United States Code,

...

Sections 17 and 17A, in that the defendant EDWARD DeLEO did place telephone calls from the State of Nevada to individuals hereinafter set forth in Counts XXVII through L in the State of Massachusetts, and thereafter said defendants did perform and attempt to perform acts to promote, manage, establish, carry on or facilitate the promotion, management, establishment or carrying on of said unlawful activity by participating in subsequent telephone conversations.

<u>COUNT</u>	<u>DATE</u>	<u>INDIVIDUAL</u>
XXVII	September 24, 1984	Individual known as Mario
XXVIII	September 27, 1984	Individual known as Mario
XXIX	September 28, 1984	Individual known as Mario
XXX	September 29, 1984	Individual known as Mario
XXXI	September 30, 1984	Individual known as Mario
XXXII	October 1, 1984	Individual known as Mario
XXXIII	October 3, 1984	Individual known as Mario
XXXIV	October 4, 1984	Individual known as Mario
XXXV	October 6, 1984, at approximately 8:26 a.m., Pacific Time	Individual known as Mario
XXXVI	October 7, 1984	Individual known as Mario
XXXVII	October 8, 1984	Individual known as Mario
XXXVIII	October 9, 1984	Individual known as Mario
XXXIX	October 10, 1984	Individual known as Mario
XL	October 13, 1984	Individual known as Mario

<u>COUNT</u>	<u>DATE</u>	<u>INDIVIDUAL</u>
XLI	October 15, 1984	Individual known as Mario
XLII	October 15, 1984	Defendant THOMAS PALLADINO, Jr.
XLIII	October 17, 1984	Individual known as Mario
XLIV	October 18, 1984	Individual known as Mario
XLV	October 19, 1984	Individual known as Mario
XLVI	October 20, 1984	Individual known as Mario
XLVII	October 26, 1984	Individual known as Mario
XLVIII	October 27, 1984	Individual known as Mario
XLIX	November 2, 1984	Individual known as Mario
L	November 7, 1984	Individual known as Mario

All in violation of Title 18, United States Code, Sections 1952(a)(3) and 2.

#### COUNT LI

(Use of Interstate Facility in Aid of Racketeering Activity; Aiding and Abetting)

The Grand Jury further charges: T H A T

On or about November 26, 1984, within the District of Nevada and elsewhere, the defendants DOMINIC SPINALE, EDWARD DeLEO, THOMAS PALLADINO, Jr. and DONATO ANGIULO, did willfully, knowingly and unlawfully use a facility in interstate commerce, to wit: a telephone, with the intent to promote, manage, establish, carry on or facilitate the promotion, management, establishment or carrying on of an unlawful activity to wit: a business enterprise involving gambling in violation of Title 18, United States Code, Sections 1955 and 1084 and Massachusetts General Laws Annotated, Chapter 271, Sections 17 and 17A, in that the

1 defendant DOMINIC SPINALE received a telephone call in the State  
2 of Nevada from defendant DONATO ANGIULO outside the State of  
3 Nevada and thereafter defendant SPINALE did perform and attempt  
4 to perform acts to promote, manage, establish, carry on or  
5 facilitate the promotion, management, establishment or carrying  
6 on of said unlawful activity by participating in a subsequent  
7 telephone call with defendant PALLADINO and by travelling from  
8 the State of Nevada to the State of Massachusetts.

9 All in violation of Title 18, United States Code,  
10 Sections 1952(a)(3) and 2.

11 A TRUE BILL.

12  
13 Am Loren D. Peace  
14 FOREPERSON OF THE GRAND JURY

15  
16  
17 William G. Maddox  
18 WILLIAM A. MADDOX  
19 United States Attorney

20  
21 Lawrence R. Leavitt  
22 LAWRENCE R. LEAVITT  
23 Special Attorney  
24 U. S. Department of Justice  
25 Las Vegas Strike Force

26  
27 Eric Johnson  
28 ERIC JOHNSON  
29 Special Attorney  
30 U. S. Department of Justice  
31 Las Vegas Strike Force